

**SIXTY-NINTH LEGISLATIVE DAY
SATURDAY, MARCH 20, 2004**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Bauer, Clark, Harwood, Smith(24),
Trail. Total -- 5.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jesse Stricklan, Page.

Approval of Journal

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Sixty-eighth Legislative Day and
recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded
by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 19, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and
am transmitting to the Secretary of State the following House
Bill, to wit:

H 610

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 19, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and

am transmitting to the Secretary of State the following House
Bills, to wit:

**H 480, H 483, H 484, H 485, H 486, H 489, H 490, H 491,
H 492, H 493, H 494, H 496, H 497, H 505, H 506, H 509,
H 518, H 522, H 523, H 533, H 534, H 535, H 537, H 538,
H 542, H 546, H 547, H 548, H 551, H 553, H 554, H 561,
H 562, H 588, H 601, H 605, and H 611**

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

March 19, 2004

Mr. Speaker:

I transmit herewith enrolled **S 1443** for the signature of the
Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1443**
and, when so signed, ordered it returned to the Senate.

March 19, 2004

Mr. Speaker:

I return herewith enrolled **H 616, H 739, H 753, H 602,
H 696**, as amended, **H 592, H 634**, as amended, **H 609**, as
amended, **H 686, H 645, H 620, H 799**, as amended, **H 837,
H 838, H 839, H 840, H 841, H 801, H 805, H 820, H 821,
H 512**, as amended, **H 638**, and **H 520**, as amended in the
Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 616, H 739, H 753, H 602, H 696**, as amended,
H 592, H 634, as amended, **H 609**, as amended, **H 686, H 645,
H 620, H 799**, as amended, **H 837, H 838, H 839, H 840,
H 841, H 801, H 805, H 820, H 821, H 512**, as amended,
H 638, and **H 520**, as amended in the Senate, were referred to
the Judiciary, Rules, and Administration Committee for delivery
to the Governor.

March 19, 2004

Mr. Speaker:

I return herewith **H 712, H 648, H 770, H 726**, as amended,
H 499, as amended, **H 526, H 527, H 529, H 678, H 596,
H 632, H 748, H 552**, as amended, **H 531, H 532, H 625**, as
amended, **H 691, H 692, H 682, H 487, H 579**, as amended,
H 656, H 694, H 646, H 629, H 772, H 671, H 659, as
amended, **H 773, H 808, H 776, H 653, H 807, H 787, H 631**,
as amended, **H 815, H 636**, as amended, **H 711, H 508**, as
amended, **H 802, H 728**, as amended, **H 778, H 752**, as
amended, **H 590**, as amended, **H 751**, as amended, **H 771,
H 803, H 812, H 515, H 811, H 756, H 836, H 806, H 816**, as
amended, **H 828, H 835, HCR 50**, and **H 774** which have passed
the Senate.

WOOD, Secretary

H 712, H 648, H 770, H 726, as amended, **H 499**, as
amended, **H 526, H 527, H 529, H 678, H 596, H 632, H 748,
H 552**, as amended, **H 531, H 532, H 625**, as amended, **H 691**,

H 692, H 682, H 487, H 579, as amended, **H 656, H 694, H 646, H 629, H 772, H 671, H 659**, as amended, **H 773, H 808, H 776, H 653, H 807, H 787, H 631**, as amended, **H 815, H 636**, as amended, **H 711, H 508**, as amended, **H 802, H 728**, as amended, **H 778, H 752**, as amended, **H 590**, as amended, **H 751**, as amended, **H 771, H 803, H 812, H 515, H 811, H 756, H 836, H 806, H 816**, as amended, **H 828, H 835, HCR 50**, and **H 774** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 19, 2004

Mr. Speaker:

I return herewith **H 777**, as amended in the Senate, **H 760**, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 777, as amended in the Senate, **H 760**, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate, were ordered held at the Desk.

Mr. Denney asked unanimous consent that the House concur in the Senate amendments to **H 777**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Eskridge asked unanimous consent that the House concur in the Senate amendments to **H 760**, as amended, as amended in the Senate. There being no objection, it was so ordered.

Mr. Eskridge asked unanimous consent that the House concur in the Senate amendments to **H 761**, as amended, as amended in the Senate. There being no objection, it was so ordered.

H 777, as amended in the Senate, **H 760**, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

March 19, 2004

Mr. Speaker:

I return herewith **H 589**, as amended, which has failed the Senate.

WOOD, Secretary

H 589, as amended, was filed in the Office of the Chief Clerk.

Report of Standing Committees

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 712, H 648, H 770, H 726**, as amended, **H 499**, as amended, **H 526, H 527, H 529, H 678, H 596, H 632, H 748, H 552**, as amended, **H 531, H 532, H 625**, as amended, **H 691, H 692, H 682, H 487, H 579**, as amended, **H 656, H 694, H 646, H 629, H 772, H 671, H 659**, as amended, **H 773, H 808, H 776, H 653, H 807, H 787, H 631**, as amended, **H 815, H 636**, as amended, **H 711, H 508**, as amended, **H 802, H 728**,

as amended, **H 778, H 752**, as amended, **H 590**, as amended, **H 751**, as amended, **H 771, H 803, H 812, H 515, H 811, H 756, H 836, H 806, H 816**, as amended, **H 828, H 835, HCR 50**, and **H 774**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 712, H 648, H 770, H 726**, as amended, **H 499**, as amended, **H 526, H 527, H 529, H 678, H 596, H 632, H 748, H 552**, as amended, **H 531, H 532, H 625**, as amended, **H 691, H 692, H 682, H 487, H 579**, as amended, **H 656, H 694, H 646, H 629, H 772, H 671, H 659**, as amended, **H 773, H 808, H 776, H 653, H 807, H 787, H 631**, as amended, **H 815, H 636**, as amended, **H 711, H 508**, as amended, **H 802, H 728**, as amended, **H 778, H 752**, as amended, **H 590**, as amended, **H 751**, as amended, **H 771, H 803, H 812, H 515, H 811, H 756, H 836, H 806, H 816**, as amended, **H 828, H 835, HCR 50**, and **H 774**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 848 BY WAYS AND MEANS COMMITTEE AN ACT

RELATING TO THE ADMINISTRATION OF GROUND WATER RIGHTS WITHIN THE EASTERN SNAKE RIVER PLAIN; DECLARING LEGISLATIVE INTENT RELATING TO THE CONJUNCTIVE ADMINISTRATION OF CERTAIN WATER RIGHTS; DECLARING LEGISLATIVE INTENT RELATING TO THE PROVISION OF CERTAIN MITIGATION FOR MATERIAL INJURY CAUSED BY GROUND WATER WITHDRAWAL AND USE; DECLARING LEGISLATIVE INTENT RELATING TO THE EQUITABLE SHARING OF CERTAIN MITIGATION AND PROVIDING THAT BEGINNING APRIL 1, 2004, THE HOLDERS OF CERTAIN GROUND WATER RIGHTS SHALL BE DEEMED NONMEMBER PARTICIPANTS SOLELY FOR MITIGATION PURPOSES IN A GROUND WATER DISTRICT PURSUANT TO THE PROVISIONS OF SECTION 42-5259, IDAHO CODE; AND DECLARING AN EMERGENCY.

H 848 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 848**.

FIELD(18), Chairman

H 848 was filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1441 and **S 1417**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1422, as amended, **S 1446**, and **SJM 110**, by State Affairs Committee, were read the second time by title and filed for third reading.

S 1346, as amended, **S 1347**, **S 1361**, **S 1363**, **S 1351**, as amended, and **S 1322**, by Education Committee, were read the second time by title and filed for third reading.

H 528, as amended in the Senate, by Business Committee, was read the second time by title and filed for third reading.

H 539, as amended in the Senate, and **H 755**, as amended in the Senate, by State Affairs Committee, were read the second time by title and filed for third reading.

H 603, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

H 780, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 544, as amended, as amended in the Senate, by Environmental Affairs Committee, was read the second time by title and filed for third reading.

H 745, as amended in the Senate, by Ways and Means Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1435 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **S 1435** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Nielsen, Pasley-Stuart, Raybould,

Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Kulczyk, Langford, McKague, Sali, Wood. Total -- 6.

Absent and excused -- Bauer, Clark, Harwood, Naccarato, Smith(24), Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1435** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1445 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

At this time, Mr. Denney took the Chair.

The question being, "Shall **S 1445** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Langford, Meyer, Miller, Nielsen, Ridinger, Ring, Rydalch, Sali, Schaefer, Shepherd, Shirley, Smylie, Snodgrass, Wills, Wood. Total -- 39.

NAYS -- Andersen, Barrett, Boe, Cuddy, Douglas, Henbest, Jaquet, Jones, Kulczyk, Lake, Langhorst, Martinez, McGeachin, McKague, Mitchell, Moyle, Naccarato, Pasley-Stuart, Raybould, Ringo, Roberts, Robison, Sayler, Skippen, Smith(30), Stevenson. Total -- 26.

Absent and excused -- Bauer, Clark, Smith(24), Trail, Mr. Speaker. Total -- 5.

Paired Vote:

AYE -- Harwood. NAY -- Roberts.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1445** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 635, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Campbell to open debate.

The question being, "Shall **H 635**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon,

Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 64.

NAYS -- None.

Absent and excused -- Bauer, Clark, Harwood, Smith(24), Trail, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 635**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 586, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Wills to open debate.

The question being, "Shall **H 586**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills. Total -- 60.

NAYS -- Moyle, Wood. Total -- 2.

Absent and excused -- Bauer, Clark, Gagner, Harwood, Lake, Smith(24), Trail, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 586**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 651, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **H 651**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills. Total -- 61.

NAYS -- Barrett, Kulczyk, Wood. Total -- 3.

Absent and excused -- Bauer, Clark, Harwood, Smith(24), Trail, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 651**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 693, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 693**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Bell, Clark, Crow, Harwood, Ridinger, Smith(24), Trail, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 693**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

S 1317, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cuddy to open debate.

The question being, "Shall **S 1317**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 62.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Clark, Harwood, Kulczyk, Smith(24), Trail, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1317**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1290 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **S 1290** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Clark, Harwood, Smith(24), Trail, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1290** passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1441** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be

dispensed with, this being a case of urgency; and that **S 1441** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Clark, Harwood, Smith(24), Trail, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1441** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Miller to open debate.

At this time, the Speaker returned to the Chair.

The question being, "Shall **S 1441** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bauer, Campbell, Clark, Denney, Harwood, Mitchell, Smith(24), Trail. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1441** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1422**, as amended, be

suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1422**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Clark, Harwood, Smith(24), Trail, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1422**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Crow to open debate.

The question being, "Shall **S 1422**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Bauer, Clark, Harwood, Smith(24), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1422**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1346**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1346**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Clark, Harwood, Smith(24), Trail, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1346**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Naccarato to open debate.

The question being, "Shall **S 1346**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 53.

NAYS -- Barraclough, Barrett, Bayer, Bedke, Eskridge, Garrett, Kulczyk, Nielsen, Roberts, Sali, Schaefer, Wood. Total -- 12.

Absent and excused -- Bauer, Clark, Harwood, Smith(24), Trail. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **S 1346**, as amended, passed the House. Title was approved and the bill was ordered returned

to the Senate.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 20, 2004

Mr. Speaker:

I transmit herewith enrolled **S 1269**, as amended, **S 1280**, as amended, **S 1301**, as amended, **S 1313**, as amended, **S 1389**, **S 1393**, as amended, **S 1418**, **SCR 127**, **SCR 128**, and **SCR 132** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1269**, as amended, **S 1280**, as amended, **S 1301**, as amended, **S 1313**, as amended, **S 1389**, **S 1393**, as amended, **S 1418**, **SCR 127**, **SCR 128**, and **SCR 132** and, when so signed, ordered them returned to the Senate.

Report of Standing Committees

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 635**, as amended in the Senate, **H 586**, as amended in the Senate, **H 651**, as amended, as amended in the Senate, and **H 693**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 635**, as amended in the Senate, **H 586**, as amended in the Senate, **H 651**, as amended, as amended in the Senate, and **H 693**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **SCR 134** and recommend that it do pass.

BARRACLOUGH, Chairman

SCR 134 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., Mr. Denney in the Chair.

Roll call showed 64 members present.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Smith(24), Trail. Total -- 6.

Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 777**, as amended in the Senate, **H 760**, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate.

FIELD(18), Chairman

H 777, as amended in the Senate, **H 760**, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate, were filed for first reading of engrossed bills.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 849 BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO THE ADMINISTRATION OF WATER RIGHTS WITHIN THE EASTERN SNAKE PLAIN; PROVIDING LEGISLATIVE FINDINGS RELATING TO HYDRAULIC CONNECTIONS OF THE WATER SUPPLY IN THE EASTERN SNAKE PLAIN AQUIFER, PROVIDING LEGISLATIVE FINDINGS RELATING TO DIMINISHED DISCHARGES FROM CERTAIN SPRINGS AND THE EFFECT OF SUCH DIMINISHED DISCHARGES ON WATER RIGHTS, AND PROVIDING LEGISLATIVE FINDINGS RELATING TO THE SCIENTIFIC AND LEGAL UNCERTAINTY AS TO THE EXTENT OF MATERIAL INJURY CAUSED BY GROUND WATER DEPLETIONS AND THE MANNER IN WHICH THE STATE IS ADDRESSING THE UNCERTAINTY; DECLARING LEGISLATIVE INTENT RELATING TO THE CONJUNCTIVE ADMINISTRATION OF

CERTAIN WATER RIGHTS AND DECLARING LEGISLATIVE INTENT RELATING TO THE PROVISION OF CERTAIN MITIGATION FOR MATERIAL INJURY CAUSED BY GROUND WATER WITHDRAWAL AND USE; DECLARING LEGISLATIVE INTENT RELATING TO THE CONTINUAL PROGRESS OF THE STATE OF IDAHO RELATING TO THE CONJUNCTIVE ADMINISTRATION OF RIGHTS TO THE USE OF INTERCONNECTED SURFACE AND GROUND WATERS WITHIN THE EASTERN SNAKE PLAIN; DECLARING LEGISLATIVE INTENT RELATING TO THE ADDITIONAL WORK THAT IS REQUIRED TO ACHIEVE FULL AND TIMELY CONJUNCTIVE ADMINISTRATION OF INTERCONNECTED SURFACE AND GROUND WATER RIGHTS AND DECLARING THAT IT IS ESSENTIAL THAT THE STATE PROVIDE A REASONABLE DEGREE OF CERTAINTY IN WATER RIGHTS ADMINISTRATION FOR THE BENEFIT AND SAFEGUARD OF ITS CITIZENS, THE STATE, AND LOCAL ECONOMIES THAT RELY UPON THE DIVERSION AND USE OF WATER FOR THEIR VIABILITY; AND DETERMINING THAT THE "EASTERN SNAKE PLAIN AQUIFER MITIGATION, RECOVERY AND RESTORATION ACTIONS" CONSTITUTE SUFFICIENT MITIGATION FOR ANY MATERIAL INJURY, TO THE EXTENT IT IS OCCURRING, TO SENIOR WATER RIGHTS IN THE THOUSAND SPRINGS REACH OF THE SNAKE RIVER FOR THE PERIOD FROM MARCH 15, 2004 THROUGH MARCH 15, 2005; AND DECLARING AN EMERGENCY.

H 849 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Ninth Order of Business.

First Reading of Engrossed Bills

H 777, as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 760, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate, by Revenue and Taxation Committee, were introduced, read the first time by title and filed for second reading.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 849**.

FIELD(18), Chairman

H 849 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 848** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 848** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 848** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson and Mr. Raybould to open debate.

The question being, "Shall **H 848** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail, Mr. Speaker.

Total -- 10.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 848** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 777**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 777**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalph, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem, declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 777**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Speaker to open debate.

The question being, "Shall **H 777**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalph, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 777**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 760**, as amended, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 760**, as amended, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalph, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 760**, as amended, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 760**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller,

Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- None.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 760**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 761**, as amended, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 761**, as amended, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Saylor, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 761**, as amended, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 761**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon,

Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 761**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 849** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 849** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Saylor, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 849** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Stevenson and Mr. Raybould to open debate.

The question being, "Shall **H 849** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke,

Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail, Mr. Speaker. Total -- 9.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 849** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1347** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1347** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1347** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Andersen to open debate.

The question being, "Shall **S 1347** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke,

Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail, Mr. Speaker. Total -- 9.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1347** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1361** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1361** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1361** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Cannon to open debate.

At this time, the Speaker returned to the Chair.

The question being, "Shall **S 1361** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Bauer, Clark, Deal, Denney, Eberle, Gagner, Harwood, Meyer, Ridinger, Roberts, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared **S 1361** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1363** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1363** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1363** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **S 1363** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 58.

NAYS -- Barrett, Bedke. Total -- 2.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Kulczyk, Ridinger, Roberts, Smith(24), Trail, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **S 1363** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1351**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1351**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1351**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **S 1351**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail, Wood. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1351**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1446** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1446** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1446** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

The question being, "Shall **S 1446** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Bauer, Bradford, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Stevenson, Trail. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **S 1446** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1417** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1417** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1417** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1417** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- None.

Absent and excused -- Bauer, Bradford, Clark, Crow, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **S 1417** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **SJM 110** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SJM 110** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SJM 110** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **SJM 110** be adopted?"

Whereupon the Speaker declared **SJM 110** adopted by voice vote and ordered the memorial returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 528**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 528**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 528**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 528**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Collins, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Kulczyk, Langford, Moyle, Sali, Shirley, Wood. Total -- 7.

Absent and excused -- Bauer, Bradford, Clark, Crow, Eberle, Harwood, McKague, Ridinger, Roberts, Smith(24), Trail. Total

-- 11.

Total -- 70.

Whereupon the Speaker declared **H 528**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 539**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 539**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Saylor, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 539**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **H 539**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Collins, Cuddy, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Jones, Kellogg, Kulczyk, Lake, Langford, McGeachin, Meyer, Miller, Moyle, Nielsen, Raybould, Ring, Rydalch, Sali, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 45.

NAYS -- Boe, Crow, Douglas, Henbest, Jaquet, Langhorst,

Martinez, McKague, Mitchell, Naccarato, Pasley-Stuart, Ringo, Robison, Saylor, Shepherd. Total -- 15.

Absent and excused -- Bauer, Clark, Eberle, Gagner, Harwood, Ridinger, Roberts, Schaefer, Smith(24), Trail. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 539**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 603**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 603**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Saylor, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 603**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **H 603**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer,

Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 54.

NAYS -- Bedke, Ellsworth, Kulczyk, Moyle, Sali, Wood. Total -- 6.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Jones, Ridinger, Roberts, Sayler, Smith(24), Trail. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 603**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 780**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 780**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 780**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **H 780**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon,

Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Mitchell, Naccarato. Total -- 2.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Smith(24), Trail. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **H 780**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 544**, as amended, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 544**, as amended, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 544**, as amended, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Denney to open debate.

The question being, "Shall **H 544**, as amended, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ring, Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Henbest, Jaquet, Langford, Langhorst, Pasley-Stuart, Ringo, Robison, Sayler. Total -- 8.

Absent and excused -- Bauer, Clark, Eberle, Ridinger, Roberts, Smith(24), Trail. Total -- 7.

Paired Vote:

AYE -- Harwood. NAY -- Langhorst.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 544**, as amended, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 745**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 745**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 745**, as amended in the Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 745**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Kellogg, Lake, Langford, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Raybould, Ring, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 55.

NAYS -- Henbest, Jaquet, Jones, Langhorst, Pasley-Stuart, Ringo. Total -- 6.

Absent and excused -- Bauer, Clark, Eberle, Harwood, Kulczyk, Ridinger, Roberts, Smith(24), Trail. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **H 745**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 755**, as amended in the Senate, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 755**, as amended in the Senate, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 755**, as amended in the

Senate, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 755**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Bayer, Kulczyk, Moyle, Sali. Total -- 5.

Absent and excused -- Bauer, Clark, Eberle, Ellsworth, Harwood, Ridinger, Roberts, Smith(24), Trail, Wood. Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 755**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1322** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1322** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of

the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1322** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1322** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Black, Block, Boe, Bolz, Cannon, Collins, Crow, Cuddy, Deal, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Wills, Wood, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Bayer, Bedke, Bell, Denney, Kulczyk, Moyle, Sali, Stevenson. Total -- 9.

Absent and excused -- Bauer, Bradford, Campbell, Clark, Eberle, Harwood, Roberts, Smith(24), Trail. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1322** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **SCR 134** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 134** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Collins, Crow, Cuddy, Deal, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Sali, Sayler, Schaefer, Shepherd, Shirley, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 58.

NAYS -- None.

Absent and excused -- Barrett, Bauer, Clark, Eberle, Harwood, Ridinger, Roberts, Robison, Rydalch, Skippen, Smith(24), Trail. Total -- 12.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of

the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 134** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **SCR 134** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Black, Block, Boe, Bradford, Cannon, Collins, Deal, Denney, Edmunson, Field(18), Field(23), Gagner, Garrett, Jones, Kellogg, Lake, Langford, McGeachin, Nielsen, Raybould, Ringo, Rydall, Saylor, Shepherd, Shirley, Skippen, Wills, Wood, Mr. Speaker. Total -- 32.

NAYS -- Barrett, Bedke, Bell, Bolz, Crow, Cuddy, Douglas, Ellsworth, Eskridge, Henbest, Jaquet, Kulczyk, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Pasley-Stuart, Ridinger, Ring, Robison, Sali, Schaefer, Smith(30), Smylie, Snodgrass, Stevenson. Total -- 30.

Absent and excused -- Bauer, Campbell, Clark, Eberle, Harwood, Roberts, Smith(24), Trail. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **SCR 134** adopted and ordered the resolution returned to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 20, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 777**, as amended in the Senate, **H 760**, as amended, as amended in the Senate, **H 761**, as amended, as amended in the Senate, **H 528**, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, and **H 755**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 777**, as amended in the Senate, **H 760**, as amended, as amended in the Senate, **H 761**, as amended, as amended in the Senate, **H 528**, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, and **H 755**, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

Mr. Denney asked unanimous consent that committees be appointed by the Speaker to notify the Governor and the Senate that the House is ready to adjourn Sine Die. There being no

objection, it was so ordered.

The Speaker appointed Representatives Kellogg, Block, and Robison to notify the Governor and Representatives Wills, Collins, and Langhorst to notify the Senate.

The committees were excused.

The committee appointed to notify the Governor reported that it had delivered the message to the Governor. The committee was thanked and discharged by the Speaker.

The committee appointed to notify the Senate reported that it had delivered the message to the Senate. The committee was thanked and discharged by the Speaker.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House of Representatives of the Second Regular Session of the Fifty-seventh Legislature of the State of Idaho adjourn Sine Die. Seconded by Ms. Jaquet.

Whereupon the Speaker declared the motion carried and the House of Representatives of the Second Regular Session of the Fifty-seventh Legislature of the State of Idaho adjourned Sine Die at 5:46 p.m., March 20, 2004.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk

Enrolled **H 616**, **H 739**, **H 753**, **H 602**, **H 696**, as amended, **H 592**, **H 634**, as amended, **H 609**, as amended, **H 686**, **H 645**, **H 620**, **H 799**, as amended, **H 837**, **H 838**, **H 839**, **H 840**, **H 841**, **H 801**, **H 805**, **H 820**, **H 821**, **H 512**, as amended, **H 638**, and **H 520**, as amended in the Senate, were transmitted to the Governor at 11 a.m., March 22, 2004.

Enrolled **S 1290**, **S 1317**, as amended, **S 1346**, as amended, **S 1422**, as amended, **S 1435**, **S 1441**, **S 1445**, **S 1293**, as amended in the House, **S 1323**, as amended in the House, and **S 1439**, as amended in the House, were received from the Senate, signed by the Speaker, and returned to the Senate.

Enrolled **S 1322**, **S 1347**, **S 1351**, as amended, **S 1361**, **S 1363**, **S 1417**, **S 1444**, as amended in the House, as amended in the House, **S 1446**, **SCR 134**, and **SJM 110** were received from the Senate, signed by the Speaker, and returned to the Senate.

Enrolled **H 712**, **H 648**, **H 770**, **H 726**, as amended, **H 499**, as amended, **H 526**, **H 527**, **H 529**, **H 678**, **H 596**, **H 632**, **H 748**, **H 552**, as amended, **H 531**, **H 532**, **H 625**, as amended, **H 691**, **H 692**, **H 682**, **H 487**, **H 579**, as amended, **H 656**, **H 694**, **H 646**, **H 629**, **H 772**, **H 671**, **H 659**, as amended, **H 773**, **H 808**, **H 776**, **H 653**, **H 807**, **H 787**, **H 631**, as amended, **H 815**, **H 636**, as amended, **H 711**, **H 508**, as

amended, **H 802, H 728**, as amended, **H 778, H 752**, as amended, **H 590**, as amended, **H 751**, as amended, **H 771, H 803, H 812, H 515, H 811, H 756, H 836, H 806, H 816**, as amended, **H 828, H 835, H 774, H 777**, as amended in the Senate, **H 760**, as amended, as amended in the Senate, **H 761**, as amended, as amended in the Senate, **H 528**, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, **H 755**, as amended in the Senate, **H 635**, as amended in the Senate, **H 586**, as amended in the Senate, **H 651**, as amended, as amended in the Senate, and **H 693**, as amended in the Senate, were returned from the Senate signed by the President, and delivered to the Governor at 11 a.m., March 22, 2004.

Enrolled **HCR 50**, was returned from the Senate signed by the President, and delivered to the Secretary of State at 11:14 a.m., March 22, 2004.

H 842, H 843, H 845, H 846, H 847, and **H 848** were returned from the Senate passed, enrolled, signed by the Speaker, signed by the President, and delivered to the Governor at 11 a.m., March 22, 2004.

HCR 56 and **HJM 27** were returned from the Senate passed, enrolled, signed by the Speaker, signed by the President, and delivered to the Secretary of State at 11:14 a.m., March 22, 2004.

OFFICE OF THE GOVERNOR
Boise

March 23, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 473, as amended in the Senate, **H 474, H 475, H 482**, as amended, **H 488, H 495, H 499**, as amended, **H 508**, as amended, **H 512**, as amended, **H 519, H 526, H 528**, as amended in the Senate, **H 529, H 532, H 540, H 563, H 571, H 585, H 587**, as amended, **H 596, H 602, H 603**, as amended in the Senate, **H 618, H 620, H 627, H 636**, as amended, **H 645, H 649, H 658, H 659**, as amended, **H 661, H 670, H 684, H 686, H 691, H 694, H 696**, as amended, **H 727, H 755**, as amended in the Senate, **H 756, H 762, H 771, H 772, H 773, H 777**, as amended in the Senate, **H 785, H 786, H 792, H 802, H 805, H 808, H 811, H 812, H 818, H 819, H 820, H 821, H 835, H 838, H 845**, and **H 846**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 23, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 511, H 515, H 516, H 520, as amended in the Senate, **H 521, H 524**, as amended in the Senate, **H 531, H 539**, as amended in the Senate, **H 549, H 558**, as amended, **H 559, H 560**, as amended in the Senate, **H 564, H 581, H 592, H 593, H 604**, as amended, **H 608, H 614, H 615, H 616, H 622, H 623, H 625**, as amended, **H 633, H 634**, as amended, **H 635**, as amended in the Senate, **H 648, H 653, H 663, H 669, H 677, H 678, H 682, H 683, H 700, H 739, H 745**, as amended in the Senate, **H 751**, as amended, **H 753, H 763, H 764, H 767, H 776, H 780**, as amended in the Senate, **H 783, H 784, H 789, H 790, H 791, H 799**, as amended, **H 806, H 823, H 824, H 837, H 841**, and **H 842**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 24, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 632, H 668, and H 840

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 24, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 487, H 527, H 552, as amended, **H 568, H 570, H 579**, as amended, **H 586**, as amended in the Senate, **H 609**, as amended, **H 629, H 638, H 642, H 643, H 644, H 656, H 671, H 692, H 706, H 711, H 726**, as amended, **H 748, H 766, H 778, H 803, H 815**, and **H 839**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 25, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 752, as amended

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 26, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 536, H 607, and **H 651**, as amended, as amended in the Senate

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 26, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 774, H 787, H 836, H 843, and **H 848**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

March 31, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 724 and H 793

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 1, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 567, H 569, H 619, H 654, H 697, H 768, H 794, H 795, and **H 822**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 590, as amended, **H 631**, as amended, **H 646, H 693**, as amended in the Senate, **H 712, H 770, H 801, H 828**, and **H 847**

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bill, to wit:

H 728, as amended

H 728, as amended, amends chapter 12, title 33, Idaho Code, by authorizing a requirement in technology proficiency for teachers. The legislation also provides that a waiver process be adopted and to provide certain limitations for waivers as well as a sunset date.

Under **H 728**, as amended, teachers must file a letter of appeals to the Department of Education describing the circumstances by which meeting the technology requirement is not applicable. Teachers are exempt only after they have received approval of the letter of appeal from either the local school Superintendent, Board of Trustees, or Department if otherwise denied. This provision accommodates physical education, music, and art teachers whose curriculum does not require a basic knowledge and use of technology.

Provisions in **H 728**, as amended, that allow for a one-time, five-year waiver, as well as the remaining provisions, will sunset July 1, 2009.

This legislation is not intended to allow teachers - whose curriculum requires a basic knowledge of technology - be waived from a basic level of technology proficiency. This important component of the Kindergarten through Grade 12 curriculum is the window to the future for our young students, and I am persuaded that the constraints placed on such waivers through **H 728**, as amended, are such that any waivers will be difficult to obtain - as they should be - and rare.

Based on the above, I have signed **H 728**, as amended, into law.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 760, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate

within the time limited by law, the same having arrived in the Office of the Governor at the hour 11 a.m. on March 22, 2004.

The fiscal impacts of these two bills total almost \$4 million in lost revenue to the State of Idaho in Fiscal Year 2005, and could have an annual impact of more than \$6 million by Fiscal Year 2008.

While the State may encourage this type of investment in and use of alternative energy, the present question is whether we can afford these additional incentives at this time.

With the challenges the State will have in funding basic public services over the course of the next two years, and despite the laudable purpose intended to be served by these separate pieces of legislation, we simply cannot afford this additional incentive at the current time.

Assuming these proposed projects meet the appropriate criteria, they currently qualify for the State's Investment Tax Credit, along with other federal incentives. I believe those incentives presently encourage development of this type of power generating capacity.

For these reasons, I hereby withhold my approval from, disapprove, and veto **H 760**, as amended, as amended in the Senate, and **H 761**, as amended, as amended in the Senate.

Very truly yours,
/s/ DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 544, as amended, as amended in the Senate

within the time limited by law, the same having arrived in the Office of the Governor at the hour 11 a.m. on March 22, 2004.

H 544, as amended, as amended in the Senate, attempts to provide more authority to watershed advisory groups (WAGs) in the development of total maximum daily loads (TMDLs), a process dedicated to the states under the federal Clean Water Act. The bill purports, among others, to place into law a new

definition of “subbasin assessment,” provide for a formal substantive consultation process with WAGs in the development of TMDLs, and dictate the membership of such groups.

Collaboration between the impacted communities and state government has always been an important part of the TMDL process. However, I am concerned that the administrative burden placed on the Department of Environmental Quality (DEQ) through **H 544**, as amended, as amended in the Senate, will be onerous, especially with the \$171,000 reduction in DEQ’s administrative budget. Increased costs to implement imposed changes directed by the WAGs, while perhaps necessary in substance, stand to face a much larger cost in terms of providing a path forward in the development of TMDLs.

Finally, **H 544**, as amended, as amended in the Senate, contains ambiguous language that is open to interpretation and is perhaps actionable. For example, it is not evident from the face of the bill what precisely DEQ’s substantive obligations will be in order to “utilize the knowledge, expertise, experience and information” of the membership of a WAG. This particular language appears ripe for judicial interpretation both in form and remedy.

I look forward to working with those in the regulated community to ensure that Idaho’s process of developing TMDLs has a basis in both science and common sense. **H 544**, as amended, as amended in the Senate, however, would impose new burdens upon a process that already has significant protections in place.

The Clean Water Act processes left for the states, like TMDL development, must, out of necessity, have a decidedly state personality. I am persuaded that if enacted, **H 544**, as amended, as amended in the Senate, would present the very real possibility that Idaho’s TMDL program will never proceed with the efficiency that our stakeholders demand.

We can strike an appropriate balance between public involvement with their government and environmental protection. Unfortunately, such a balance is not evident in the framework of **H 544**, as amended, as amended in the Senate.

For these reasons, I hereby withhold my approval from, disapprove, and veto **H 544**, as amended, as amended in the Senate.

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 807

within the time limited by law, the same having arrived in the Office of the Governor at the hour 11 a.m. on March 22, 2004.

H 807 amends the organic statutory scheme which originally created the Idaho Beef Council in 1967. The legislation, among others, proposes to reduce the membership of the Beef Council to seven members from eight, removes the voting privilege from the marketman (auction house representative) and instead provides that position will be *ex officio* and nonvoting.

Importantly, **H 807** would require the Governor to “select from” recommendations made by organizations who represent or who are engaged in the same type of production or business as the proposed member of the Council. Currently, the Governor is to “take into consideration” recommendations received from organizations when making appointments.

This legislation, while containing some laudable changes to current law, is problematic for several reasons. First, it is not clear why the Governor should be required to “select from” a universe of recommendations rather than, as under current law, “take into consideration” the names of those who are willing to serve on this important body. I am persuaded that **H 807**, as written, unduly restricts the potential choices for these gubernatorial appointments.

Second, the legislation is largely premature. **H 807** contains a provision for Council funding if the courts invalidate the current federal funding mechanism. However, such a contingency has yet to occur.

I am willing to consider and act upon similar legislation next year if the federal funding concerns expressed in **H 807** become a reality.

For these reasons, I hereby withhold my approval from, disapprove, and veto **H 807**.

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

OFFICE OF THE GOVERNOR
Boise

April 2, 2004

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am returning herewith, without my approval, disapproved and vetoed:

H 816, as amended

within the time limited by law, the same having arrived in the Office of the Governor at the hour 11 a.m. on March 22, 2004.

The intention of this legislation is to protect Idaho's cattle industry and consumers, which are worthy goals. **H 816**, as amended, attempts to further those protections by providing for an improved identification system for livestock entering Idaho from Canada by requiring a brand "C" on their necks and a radio frequency identification (RFID) device in accordance with USDA regulations. These provisions are not required if the cattle are consigned directly to a slaughter facility.

I am mindful, in light of recent events in the Pacific Northwest that focused national attention on our food supply, of the need for improved animal identification. I greatly appreciate the attention and effort you have dedicated to this legislation.

However, imposing these requirements on imported cattle from Canada, when it appears that our livestock producers might not be able to meet similar standards here at home, is premature in light of federal efforts to address health concerns already underway.

I have been advised by senior officials at the United States Department of Agriculture (USDA) that the federal government is working closely with a broad sector of our domestic producers to implement a nationwide system of animal identification, and, importantly, that this program has the highest of priorities.

Additionally, I am also informed by the USDA that there is presently a rule making addressing live importation of Canadian cattle into the United States and that it will be science-based decision making. The USDA has recommended that the provisions intended by **H 816**, as amended, are untimely pending the outcome of the federal regulatory efforts and that this legislation not be signed into law.

H 816, as amended, sends a message which is both loud and clear to Canada and the USDA that the Idaho Legislature feels strongly about having a rigorous system of animal identification to prevent the spread of disease. This message has resounded in the halls of the agencies with responsibility over ensuring food safety in Washington, and you are to be congratulated for the effectiveness of this legislation in delivering Idaho's siren call on this issue.

However, I have already signed **H 806**, which allows the Idaho Department of Agriculture, Division of Animal Industries, the authority to develop rules for the proper identification of livestock, poultry, and fish and for the registration of the premises on which they are held.

With **H 806**, Idaho will be better prepared to get its own house in order. Our State will be able to bring additional concerns, comments, suggestions to the process being implemented by USDA for new rules addressing proper identification and disease prevention. For now, Idaho is protected through this new legislation and the existing federal rule making process, and I look forward to working with you to

fix this problem on a long-term basis.

For these reasons, I hereby withhold my approval from, disapproved, and veto **H 816**, as amended.

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

CERTIFICATE

WE, BRUCE NEWCOMB, Speaker of the House of Representatives, and PAMM JUKER, Chief Clerk, do hereby certify and attest as follows:

That we have carefully compiled in the House Journal of the Second Regular Session of the Fifty-seventh Legislature all of the proceedings of the Sixty-ninth Legislative Day, and that the said Journal contains a full, true, and correct record of all of the proceedings of said House of Representatives for said day and final action upon all legislation.

IN WITNESS WHEREOF, we have hereunto set our hands, this 5th day of April, 2004.
BRUCE NEWCOMB, Speaker

Attest:
P A M M J U K E R , C h i e f C l e r k